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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 10/769,920 | 02/03/2004 | Shinji Hayashi | 086142-0633 | 9767 |

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FOLEY AND LARDNER LLP
SUITE 500
3000 K STREET NW
WASHINGTON, DC 20007

EXAMINER

SLITERIS, JOSELYNN Y

ART UNIT

PAPER NUMBER

3616

DATE MAILED: 11/01/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/769,920

Applicant(s)

HAYASHI ET AL.

Examiner

Joselynn Y. Sliteris

Art Unit

3616

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 August 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 29-49 is/are pending in the application.
- 4a) Of the above claim(s) 38-42, 44 and 45 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 29-37, 43 and 46-49 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Election/Restrictions

1. Applicant's election of Group A, represented by Figures 1-4, in the reply filed on 4/18/06 is acknowledged. Because applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, the election has been treated as an election without traverse (MPEP § 818.03(a)).
2. Claims 38-42, 44, and 45 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected species, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on 4/18/06.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 29-37, 43, and 46-49 are rejected under 35 U.S.C. 102(b) as being anticipated by Uehara et al. (U.S. Patent 6,113,131), as cited by applicant.
5. Regarding claims 29-37, 43, and 45, Uehara discloses a method of making a cover component 31, 310 as in the present invention comprising:

providing a die having a core surface having a raised line formed on the core surface;

providing a moldable material 31A, 310;

molding said moldable material using said die so as to form a molded material having a recessed line 31b, 311 corresponding to said raised line;

providing a laser, and

irradiating said molded material using said laser so as to bore a plurality of hollows 31a, 310a in said recessed line in said molded material at intervals;

further comprising the step of attaching said molded material to said airbag system;

wherein the tear line 31a extends in an H shape (Fig. 1A);

wherein a bottom recess of the recessed line near an end of the recessed line is molded to form a slope about 30° to 60° inclined relative to a back of the cover component (see annotated Fig. 4B);

wherein the hollows extend only partially through the cover component;

wherein the recessed line decreases in depth gradually toward an endmost of the tear line;

wherein the tear line further comprises a region of reduced strength shaped so that the tear line is torn open in said region of reduced strength when the airbag inflates;

wherein the region of reduced strength is deeper than other parts of the recessed line;

wherein the region of reduced strength includes at least one hollow that has approximately the same depth as at least one hollow of another part of the recessed line;

wherein the region of reduced strength comprises at least a first hollow that has a ceiling that is approximately equidistant to a front surface of the cover component as a ceiling of at least a second hollow of another part of the recessed line.

6. Regarding claims 46-49, Uehara discloses a method of manufacturing a cover component 31, 310 as in the present invention, the cover component having a tear line 31a that is torn open when an airbag of the airbag system inflates, comprising:

forming a recessed line 31b, 311 at least in a part of the tear line by using a raised line provided on a core surface of a die when the cover component is molded; and

boring hollows 31a in the recessed line at intervals by laser processing;

wherein the tear line extends in an H shape;

further comprising forming a bottom recess of the recessed line near an end of the recessed line in a slope about 30° to 60° inclined relative to a back of the cover component (see annotated Fig. 4B);

further comprising forming the hollows to extend only partially through the cover component.

Response to Arguments

7. Applicant's arguments filed 8/9/06 have been fully considered but they are not persuasive.

Applicant argues "... Uehara fails to disclose, teach or suggest a method of making a cover component comprising molding using a die "to form a molded material

having a recessed line corresponding to said raised line ... [and] using said laser so as to bore a plurality of hollows in said recessed line" as called for by claim 29. Uehara discloses a cover component with a lid 31 and tearable portion 31a. Figures 4(a) and 4(b) of Uehara illustrate the tearable portion 31a formed in a groove 31b. The tearable portion 31a may be formed by irradiation of a laser beam. However, "Uehara clearly states that a tearable portion should not be formed using a molding die. See Uehara at Col. 1, lines 31-46. Accordingly, contrary to the Office Action's assertions, Uehara fails to disclose, teach or suggest "molding said moldable material using said die" to form a tear line."

Examiner notes that applicant's argument is incorrect because according to Uehara at Col. 1, lines 41-46, "... therefore an object of the invention is to provide an instrument panel in which an appropriate tearable portion for inflating an air bag can be economically formed without requiring a molding die for forming the tearable portion." That is, Uehara discloses molding a moldable material 31, 31A having a recessed line 31b using a die having a corresponding raised line and forming a tearable portion 31a by irradiation of a laser beam (Col. 6 lines 4-6 & Col. 6, lines 13-17; also see Col. 7 lines 10-22). Therefore, it is the examiner's position that Uehara does disclose applicant's invention as claimed.

Conclusion

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joselynn Y. Sliteris whose telephone number is 571-272-6675. The examiner can normally be reached on Mon, Thurs & Fri 8:30 am - 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paul N. Dickson can be reached on 571-272-6669. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

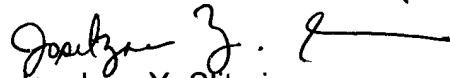
Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should

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you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Joselynn Y. Sliteris
Patent Examiner
Art Unit 3616
10/26/06

JYS
10/26/06


10/30/06
PAUL N. DICKSON
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3800

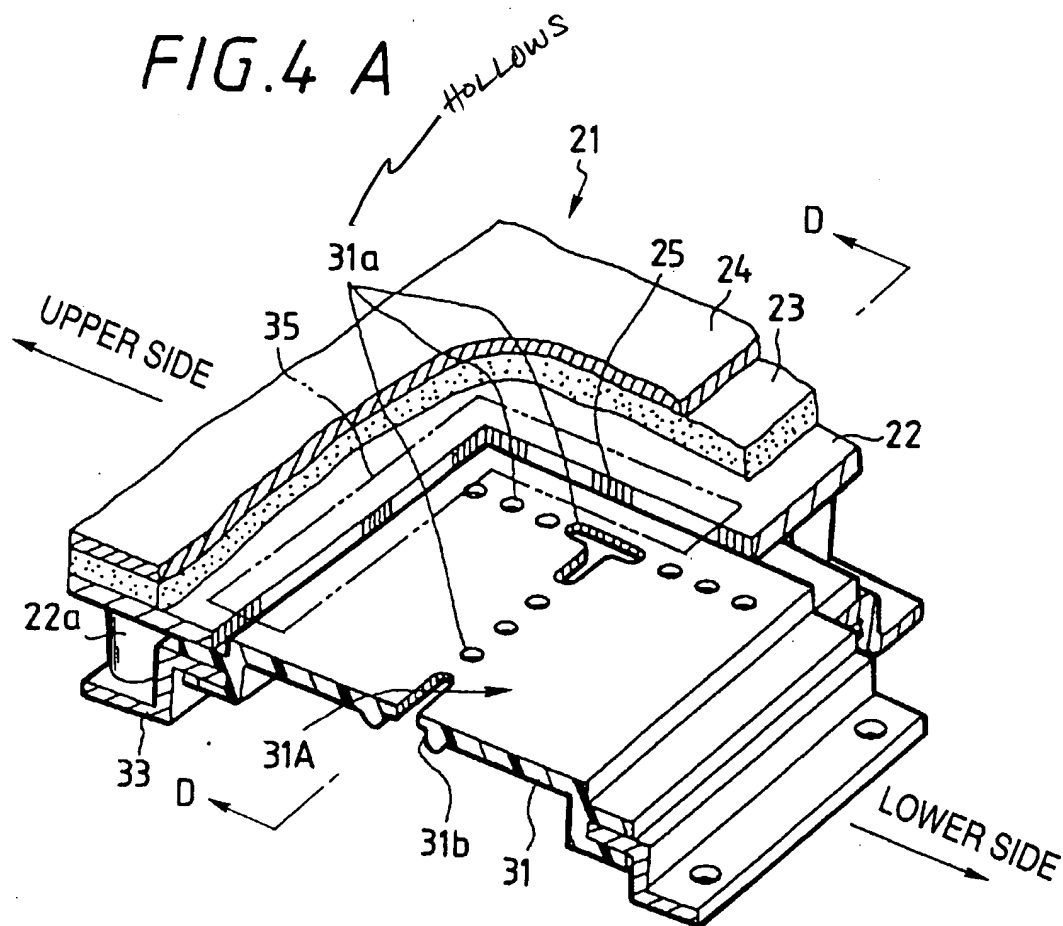


FIG. 4 B

* θ is about 30° to 60°

